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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wayne L. Ryan et al. Group Art Unit: 1641
Serial No.: 09/747,619 Examiner: T. McCaa
Filed: December 22, 2000
For: IMPROVED FLOW CYTOMETRY REAGENT AND SYSTEM
Attorney Docket No.: 1003-015

Commissioner of Patents
Washington, D.C. 20231

RESPONSE AND AMENDMENT TO OFFICE ACTION

In response to an Office Action mailed April 10, 2001 please amend the application as follows:

In the Claims:
Please cancel claims 2-4, 6-8, and 12-34 without prejudice.
Please amend claims 1, 5, 9, 35 and 36 as follows:

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A1

1. (Once Amended) A reagent composition for preparing leukocytes for cytometric analysis, comprising:
- a. a lipoprotein;
 - b. an agent for lysing erythrocytes from a sample of fresh blood for permitting cytometric analysis of said leukocytes; and
 - c. a preservative selected from the group consisting of diazolidinyl urea (DU), imidazolidinyl urea (IDU), an oxazolidine and mixtures thereof.



07-10-01

1641

Practitioner's Docket No. 1003-015

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Ryan, Wayne L.; Turpen, Paula B.

Application No.: 09/747,619

Group No.: 1641

Filed: 12/22/2000

Examiner: T. McCaa

JUL 12 2001

For: IMPROVED FLOW CYTOMETRY REAGENT AND SYSTEM

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- X deposited with the United States Postal Service with sufficient postage as Express Mail EL917264142US in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: 07-09-01

Roni L. Masquelier
Signature

Roni L. Masquelier
(type or print name of person certifying)

(Amendment Transmittal--page 1 of 3)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	SMALL ENTITY
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Addit. Fee
Total	11	Minus	38	= 0	x \$9 = \$0
Indep.	4	Minus	5	= 0	x \$40 = \$0
First Presentation of Multiple Dependent Claim + \$135 \$0					
=					
Total Addit. Fee \$0					

- * If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

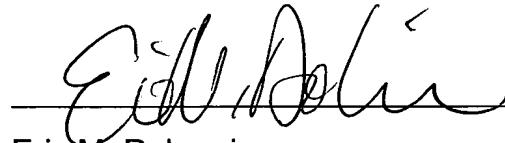
Total additional fee for claims required \$0

FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 50-1097.
If any additional fee for claims is required, charge Account No. 50-1097.

Date: _____

July 9, 2001



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